

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JIMMY L. COLLINS, JR.,)	
)	
Plaintiff,)	
)	
)	
vs.)	CASE NO. 3:11-00264
)	JUDGE TRAUGER/KNOWLES
)	
)	
MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC.,)	
et al.,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

This matter is before the Court upon Plaintiff's Motion for Summary Judgment. Docket No. 27. Plaintiff has filed a supporting Memorandum of Law. Docket No. 28. Certain Defendants have filed a Motion to Strike the Memorandum, on grounds that Plaintiff's Motion and Memorandum do not comply with Local Rule 56.01(b). Docket No. 29.

Local Rule 56.01(b) provides in relevant part as follows:

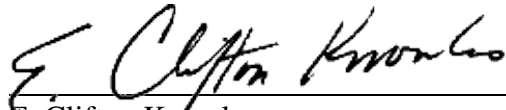
Concise Statement of Facts. In order to assist the Court in ascertaining in whether there are any material facts in dispute any motion for summary judgment made pursuant to Rule 56 of the *Federal Rules of Civil Procedure* shall be accompanied by a separate, concise statement of the material facts as to which the moving party contends there is no genuine issue for trial. Each fact shall be set forth in a separate, numbered paragraph. Each fact shall be supported by specific citations of the record.

Defendants correctly point out that Plaintiff did not comply with Local Rule 56.01(b).

For the foregoing reasons, the undersigned recommends that Plaintiff's Motion for

Summary Judgment (Docket No. 27) be DENIED.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.


E. Clifton Knowles
United States Magistrate Judge